

# SENATE BILL No. 395

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-7.5-1-5.

**Synopsis:** School collective bargaining subjects. Limits the number of certificated employees that the exclusive representative may appoint to serve on statutory or locally created committees of a school corporation.

**Effective:** July 1, 1999.

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**Kenley**

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January 11, 1999, read first time and referred to Committee on Education.

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Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

## SENATE BILL No. 395

A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 20-7.5-1-5 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 5. (a) A school  
3 employer shall discuss with the exclusive representative of certificated  
4 employees, and may but shall not be required to bargain collectively,  
5 negotiate, or enter into a written contract concerning or be subject to or  
6 enter into impasse procedures on the following matters:

7 (1) Working conditions, other than those provided in section 4 of  
8 this chapter.

9 (2) Curriculum development and revision.

10 (3) Textbook selection, **subject to subdivision (10) concerning**  
11 **membership of certificated employees on a textbook adoption**  
12 **advisory committee.**

13 (4) Teaching methods.

14 (5) Hiring, promotion, demotion, transfer, assignment, and  
15 retention of certificated employees, and changes to any of the  
16 requirements set forth in IC 20-6.1-4.

17 (6) Student discipline.



(7) Expulsion or supervision of students.

(8) Pupil-teacher ratio.

(9) Class size or budget appropriations.

**(10) Appointment by the exclusive representative of certificated employees to serve on statutory or locally created committees of the school corporation. However, if this matter is bargained collectively, the contract must allow the exclusive representative to appoint not more than the same percentage of the certificated members of a committee as the percentage of members of the exclusive representative bears to the total number of certificated employees of the school corporation.**

However, any items included in the 1972-1973 agreements between any employer school corporation and the employee organization shall continue to be bargainable.

(b) Nothing shall prevent a superintendent or ~~his~~ **the superintendent's** designee from making recommendations to the school employer.

(c) This chapter may not be construed to limit the rights of the school employer and the exclusive representative to mutually agree to the matters authorized under IC 20-6.1-4-14.5.

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